



Shasta County

BOARD OF SUPERVISORS

1450 Court Street, Suite 308B
Redding, California 96001-1680
(530) 225-5557
(800) 479-8009
(530) 225-5189-FAX

DAVID A. KEHOE, DISTRICT 1
MARK CIBULA, DISTRICT 2
GLENN HAWES, DISTRICT 3
LINDA HARTMAN, DISTRICT 4
LES BAUGH, DISTRICT 5

August 19, 2008

FPA 040802

Mr. Phil Isenburg, Chair
Delta Vision Blue Ribbon Task Force
State of California Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

Subject: Delta Vision Strategic Plan Dated June 18, 2008 (edited July 11, 2008)

The northern Sacramento Valley region is the Area of Origin for much of the water that flows through the Delta. Northstate counties are the headwaters of the Central Valley Project (CVP), the State Water Project (SWP), and indeed the whole of the Sacramento River. Local groundwater basins store, cleanse and meter these flows to meet local and Delta needs.

As part of the Delta watershed, the counties of our region have a vested interest in the overall health and stewardship of the Delta. Our water resources provide the life blood for our agricultural-based communities, economy and environment. The delicate balance of our water system comes from the care and planning of local governments, private landholders and water agencies, and the existing water right system. These proven institutions offer the best prospect to fix the Delta.

Shasta County joins the counties of Butte, Colusa, Glenn and Tehama in offering comments and recommendations on the Delta Vision Strategic Plan dated June 18, 2008 (edited July 11, 2008).

The Strategic Plan contains many positive elements that will protect the Delta's ecosystem, communities and water supply reliability. Unfortunately, the Strategic Plan also includes many elements that undermine these purposes. The Plan neglects Area of Origin rights, the existing water right priority system and local control. Short-term strategies to remedy the Delta should not come at the expense of the Sacramento Valley. Rather, we believe that the Strategic Plan can be successful through incorporating the principles of Area of Origin rights, regional self-sufficiency and existing water rights.

Governance and Finance

The Governance and Finance section raises significant concerns for our region. We understand the need to have a better governance structure for water management decisions for the Delta. However, the new and enhanced multi-part governing agencies are granted authority and scope that far exceed what is necessary or reasonable. We oppose granting the California Delta Ecosystem and Water Council with authority to affect areas outside the Delta or superseded existing water rights (Action 1.1). We do not support the broad scope that the California Delta Ecosystem and Water Plan (CDEW Plan) would have in dictating water management policies outside the confines of the Delta (Action 2.1). The broad language and

authority of the CDEW Plan suggests that steps needed to protect the Delta would be taken without any regard to existing water rights or impacts to other areas. The emphasis of a robust, science-based adaptive management program (Action 1.6) calls for removing the barriers created by local permitting requirements. As well, the linkage of the State Water Project to the conservation goals of the CDEW Plan may lead to unilateral decisions over water resources in northern California. When viewed together, these recommendations can only lead to a conclusion that the multi-part governing agencies will be vested with the authority to make decisions on water management, not just in the Delta but throughout California.

We are opposed to the emphasis to promote the Public Trust doctrine over the current water rights system and Area of Origin rights. The Strategic Plan states on page 23, "that water required to support and revitalize the Delta would not be purchased but will be provided within California's system of water rights and constitutional principles of reasonable use and public trust". This approach not only ignores Area of Origin water rights but does so without making any provisions for regional representation in the governance structures proposed. We understand the critical need to bolster the collapsing ecosystem of the Delta, but we fear that decisions affecting water rights in our region will lead to a Delta-like catastrophe.

Revitalize the Delta Ecosystem

We generally support the goals in the Strategic Plan to revitalize the Delta ecosystem. We support the pursuit of the Bay Delta Conservation Plan process and will continue to engage that process.

We recommend that any action to increase freshwater flow (Action 5.1) must be done in a cooperative manner recognizing the current framework of existing water rights and an assurance that increased flows to the Delta will not deplete upstream water systems. Similarly, the recommendation to improve conjunctive use programs (Action 5.4) must be initiated and managed by local entities to ensure their viability and to prevent adverse impacts.

We support the recognition that management and control of invasive species (Action 6.1) and toxins is critical to a healthy Delta. Actions to prevent and control invasive species will not only benefit the Delta but the entire state. Invasive species cannot only directly impact ecosystems but can also lead to disruptive control strategies. We are pleased that the Strategic Plan supports implementing Best Management Practices through the Regional Water Board's Irrigated Lands Program (Action 8.5). Such an approach would achieve water quality standards from agricultural chemicals in an economical and agronomic manner. The suggestion that incentives be explored for those in the Irrigated Lands Program who adopt water use efficiency practices has merit. We can attest first-hand to the value of the Irrigated Lands Program since Butte and Glenn Counties through their County Agricultural Commissioner entered into formal agreement with the Regional Water Boards to assist in the implementation of the Irrigated Lands Program. The successful role of the Butte and Glenn County Agricultural Commissioners illustrates the importance that local agencies can play in meeting issues of statewide significance.

Water Supply Reliability

The Water Supply Reliability section of the Strategic Plan offers many laudable recommendations. We not only agree with the Strategic Plan's support for the concept of regional self-sufficiency as the best avenue to achieve sustainability of statewide water demands but believe that it should be a guiding principle. Moving towards regional self-sufficiency will require locally driven solutions that must include the full suite of water management options.

We support the approach to increase water supply reliability by increasing water supplies, reducing demand and promoting self-sufficiency. The need to increase water supply sources must also be part of the state's future. We support the completion of the feasibility studies associated with the CALFED water storage projects (Action 9.6). It is time to increase the overall water supply within California and the completion of new water storage projects is long overdue.

Efforts to reduce the demand for water must equally be advanced. We agree with the Strategic Plan's support for the concept of regional self-sufficiency as the best avenue to achieve sustainability of statewide water demands. Moving towards regional self-sufficiency will require locally driven solutions that must include the full suite of water management options. Therefore we strongly support efforts to promote water use efficiency (Action 7.2, 7.3, 7.4). We support the efforts to improve assessment and protection of regional groundwater resources (Action 8.7). The increased reliance on local agencies will require continued improvements of data acquisition and maintenance. We applaud the tasks listed in Action 7.1 which would help to improve the collection of baseline data that will be necessary for sound water planning at the local and regional level.

As the Strategic Plan aptly cautions, regions should not rely on imported water as a sustainable means of meeting their future demands. We recognize the need for water transfers given appropriate sets of circumstances. Water transfer programs should be controlled and monitored at the local level to ensure that local needs are met first. Therefore, we believe that the Strategic Plan should be consistent and support local governments and landowners in playing a primary role in water management. However, we do not believe the streamlining of water transfer regulatory processes (Action 7.7) is necessary or advisable. Those actions seem to promote reliance on imported water and preempt any local control of water resources. The action to pre-approve water transfers would circumvent local ordinances as well as the environmental review process. We do not support the suggestion that a non-public entity should manage a newly created water transfer bank.

Again, if the Task Force supports regional self-sufficiency then that concept must apply to decisions on groundwater banking and exports. Regional agencies are in the best position to determine local water demands and the availability of any potentially surplus water from within that region. A very troubling action is the recommendation to exempt groundwater banking projects from county permit requirements that regulate groundwater exports (Action 8.6). We cannot be more vehemently opposed to this preemption of local government authority. The reason why many counties adopted ordinances to regulate groundwater exports was due to real or perceived failures on the part of the state to manage these programs adequately. We do not support these actions being taken at the state level, which may do little to solve the problems facing the Delta and have the potential to cause irreparable economic, ecological and social harm to our region.

We understand the plight and needs that the Delta is facing. Our region has done its part in the past and will in the future help our neighbors when we can. But the decision on when, what and how we can help must be left to those who rely on the local resource. We within our region are the ones in the best position to determine our water needs, the availability of water, and to ensure that any water project will not adversely impact our economy, ecosystem and communities.

We believe that the Strategic Plan offers great hope in providing a long-term solution to the problems facing the California Delta. However, undermining Area of Origin rights and California's water right

Mr. Phil Isenburg, Chair
Delta Vision Blue Ribbon Task Force
August 19, 2008
Page 4 of 4

priority system will do little to advance the much needed remedies for the California Delta. The Delta Vision Strategic Plan needs to adopt a positive and constructive path for meeting the co-equal goals of protecting the Delta ecosystem and ensuring a reliable water supply for all Californians.

We encourage the Task Force to adopt and support the concepts of regional self-sufficiency, increased water supplies and Area of Origin recognitions. We discourage the Task Force from fixing the Delta through actions that would negatively impact the Sacramento Valley. We assert Area of Origin water rights to meet our local needs and protect our communities, economy and environment. We invite the Task Force to fix the Delta in partnership with the Sacramento Valley region.

County representatives are available to meet with you to answer any questions and assist the Task Force in moving forward a strategic plan that meets the needs of our region. If you have any questions, please call Pat Minturn or Eric Wedemeyer at (530) 225-5661.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda Hartman".

Linda Hartman, Chairman
Board of Supervisors
County of Shasta
State of California

LH/PJM/mlc

c: Doug LaMalfa, Assemblyman District 2
Sam Aaenestad, Senator District 4
Wally Herger, U.S. Representative District 2
Barbara Boxer, U.S. Senator
Dianne Feinstein, U.S. Senator